



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Douglas W. Domenech  
Secretary of Natural Resources

SOUTHWEST REGIONAL OFFICE  
355-A Deadmore Street, Abingdon, Virginia 24210  
Phone (276) 676-4800 Fax (276) 676-4899  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Allen J. Newman, P.E.  
Regional Director

August 30, 2013

C.D. Holley, Vice President  
Fossil and Hydro Operations  
Dominion Virginia Power  
5000 Dominion Boulevard  
Glen Allen, VA 23060

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**ATTN: Geoffrey A. Hensley, Environmental Supervisor** ([geoffrey.a.hensley@dom.com](mailto:geoffrey.a.hensley@dom.com))

Re: VPDES Permit No. VA0092746; Dominion Virginia Power - Virginia City Hybrid Energy Center; 3425 Russell Creek Road; St. Paul, VA, Wise County

The VPDES permit for the Virginia City Hybrid Energy Center is enclosed. The first Discharge Monitoring Report (DMR) required by this permit for the monthly monitored parameters is due on October 10, 2013 for the month of September. The first DMR required by this permit for the quarterly monitored parameters is due on January 10, 2014 for the 4<sup>th</sup> quarter period (i.e. October, November and December). Monitoring results on the DMRs should be reported to the same number of significant digits as are included in the permit limit for the parameter.

A printed copy of a DMR report is enclosed; however, the facility should report using the e-DMR system. If you have not already done so, please register for e-DMR participation now in order for the e-DMR application to be processed prior to the first DMR due date for this issuance and to avoid non-compliance with the permit reporting requirements. The following website provides details, and our regional e-DMR administrator Ruby Scott ([ruby.scott@deq.virginia.gov](mailto:ruby.scott@deq.virginia.gov)) can also assist you:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/ElectronicDMRsubmissions.aspx>

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

C.D. Holley, Vice President  
Dominion Virginia Power  
August 30, 2013  
Page 2

Alternatively, any owner under §§ 62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in 9VAC25-230-130 (Procedural Rule No. 1 – Petition for formal hearing). In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. S. Trent', is written over the typed name.

Mark S. Trent  
Water Permit Manager

Enclosure:

VPDES Permit No. VA0092746  
Discharge Monitoring Reports (001, 103)  
“Attachment A” Monitoring Report

cc: Kim Lanterman, Manager, Environmental ([Kimberly.Q.Lanterman@dom.com](mailto:Kimberly.Q.Lanterman@dom.com))

PERMITTEE NAME/ADDRESS(INCLUDE  
FACILITY NAME/LOCATION IF DIFFERENT)

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)**  
**DISCHARGE MONITORING REPORT(DMR)**

Industrial Major 08/29/2013

**DEPT. OF ENVIRONMENTAL QUALITY**  
(REGIONAL OFFICE)

NAME Dominion - Virginia City Hybrid Energy Center  
ADDRESS 5000 Dominion Blvd  
Glen Allen VA 23060  
FACILITY LOCATION 3425 Russell Creek Road

VA0092746				001			
PERMIT NUMBER				DISCHARGE NUMBER			
MONITORING PERIOD							
YEAR	MO	DAY		YEAR	MO	DAY	
			TO				

Southwest Regional Office  
355-A Deadmore Street

Abingdon VA 24210

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS  
BEFORE COMPLETING THIS FORM.

FROM

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD				*****	*****	*****				
	REQRMNT	NL	NL	MGD	*****	*****	*****			1 / DAY	CALC
704 NOAEC - ACUTE 48 HR STAT CERIODAPHNIA DUBIA	REPORTD	*****	*****		*****	*****					
	REQRMNT	*****	*****		*****	*****	NL	NOAEC		1 / 3M	COMP
705 NOAEC - ACUTE 48 HR STAT PIMEPHALES PROMELAS	REPORTD	*****	*****		*****	*****					
	REQRMNT	*****	*****		*****	*****	NL	NOAEC		1 / 3M	COMP
720 TUC - CHRONIC 3-BROOD STATRE CERIODAPHNIA DUBIA	REPORTD	*****	*****		*****	*****					
	REQRMNT	*****	*****		*****	*****	NL	TU-C		1 / 3M	COMP
721 TUC - CHRONIC 7-DAY STATRE PIMEPHALES PROMELAS	REPORTD	*****	*****		*****	*****					
	REQRMNT	*****	*****		*****	*****	NL	TU-C		1 / 3M	COMP
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
	PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT					TELEPHONE			
				TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE  
FACILITY NAME/LOCATION IF DIFFERENT)

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)**  
**DISCHARGE MONITORING REPORT(DMR)**

Industrial Major 08/29/2013

**DEPT. OF ENVIRONMENTAL QUALITY**  
(REGIONAL OFFICE)

NAME Dominion - Virginia City Hybrid Energy Center  
ADDRESS 5000 Dominion Blvd  
Glen Allen VA 23060  
FACILITY LOCATION 3425 Russell Creek Road

VA0092746			103			
PERMIT NUMBER			DISCHARGE NUMBER			
MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY

Southwest Regional Office  
355-A Deadmore Street

Abingdon VA 24210

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS  
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PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD				*****	*****	*****				
	REQRMNT	NL	NL	MGD	*****	*****	*****			CONT	TIRE
002 PH	REPORTD	*****	*****			*****					
	REQRMNT	*****	*****		6.0	*****	9.0	SU		1 / M	GRAB
004 TSS	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	30	100	MG/L		1 / M	COMP
023 CHROMIUM, HEXAVALENT (AS CR)	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	62	62	UG/L		1 / M	COMP
165 CL2, INST RES MAX	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	88	88	UG/L		1 / M	COMP
196 ZINC, TOTAL RECOVERABLE	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	790	790	UG/L		1 / M	COMP
203 COPPER, TOTAL RECOVERABLE	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	68	68	UG/L		1 / M	COMP
361 IRON, TOTAL RECOVERABLE	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	1000	1000	UG/L		1 / M	COMP

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

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				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
				TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE  
FACILITY NAME/LOCATION IF DIFFERENT)

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)**  
**DISCHARGE MONITORING REPORT(DMR)**

Industrial Major 08/29/2013  
**DEPT. OF ENVIRONMENTAL QUALITY**  
(REGIONAL OFFICE)  
  
Southwest Regional Office  
355-A Deadmore Street  
  
Abingdon VA 24210  
  
NOTE: **READ PERMIT AND GENERAL INSTRUCTIONS  
BEFORE COMPLETING THIS FORM.**

NAME Dominion - Virginia City Hybrid Energy Center  
ADDRESS 5000 Dominion Blvd  
Glen Allen VA 23060  
FACILITY LOCATION 3425 Russell Creek Road

VA0092746			103			
PERMIT NUMBER			DISCHARGE NUMBER			
MONITORING PERIOD						
YEAR	MO	DAY		YEAR	MO	DAY
			TO			

FROM

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
500 OIL & GREASE	REPORTD	*****	*****		*****						
	REQRMNT	*****	*****		*****	15	20	MG/L		1 / M	GRAB
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	
	REPORTD										
	REQRMNT									*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
	PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT					TELEPHONE			
				TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

**This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of \$32,500 per violation, per day and felony prosecutions which can carry a 15 year term.**

### **DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS**

- 1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.**
- 2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".**
- 3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.**
- 4. Enter the average and maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".**  
**KG/DAY = Concentration (mg/L) x Flow (MGD) x 3.785      G/D (Grams/Day) = Concentration (mg/L) x Flow (MGD) x 3785**
- 5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".**
- 6. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.**
- 7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.**
- 8. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".**
- 9. Enter the actual type of sample (Grab, 8HC, 24HC, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".**
- 10. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.**
- 11. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".**
- 12. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator or if the operator in responsible charge of the facility is a licensed operator, the operator's signature and certificate number must be reported in the spaces provided.**
- 13. The principal executive officer then reviews the form and must sign in the space provided and provide a telephone number where he/she can be reached. Every page of the DMR must have an original signature.**
- 14. Send the completed form(s) with original signatures to your Department of Environmental Quality Regional Office by the 10th of each month unless otherwise specified in the permit.**
- 15. You are required to retain a copy of the report for your records.**
- 16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each separate violation by date.**
- 17. If you have any questions, contact the Department of Environmental Quality Regional Office listed on the DMR.**



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit Number VA0092746

Effective Date: August 30, 2013

Expiration Date: August 29, 2018

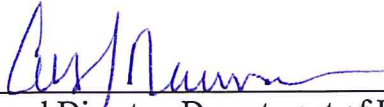
### AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

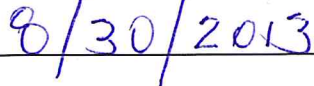
In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, Part I - Limitations and Monitoring Requirements, and Part II – Conditions Applicable To All VPDES Permits, as set forth herein.

Owner: Dominion Virginia Power  
Facility Name: Virginia City Hybrid Energy Center  
City: St. Paul  
County: Wise County  
Facility Location: 3425 Russell Creek Road, St. Paul, VA

The owner is authorized to discharge to the following receiving stream:

Receiving Stream: Clinch River  
Basin: Tennessee-Big Sandy River  
Subbasin: Clinch  
Section: 2a  
Class: IV  
Special Standards: pws

  
\_\_\_\_\_  
Regional Director, Department of Environmental Quality

  
\_\_\_\_\_  
Date

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number **001** (combined wastewater discharge)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATION</u>			<u>MONITORING REQUIREMENTS</u>		
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Minimum</u>	<u>Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)*	NL	NA	NA	NL	1/ Day	Calculated
Acute Whole Effluent Toxicity (NOAEC) ( <i>Ceriodaphnia dubia</i> )	NA	NA	NA	NL	1/3 Months	Composite**
Chronic Whole Effluent Toxicity (TUc) ( <i>Ceriodaphnia dubia</i> )	NA	NA	NA	NL	1/3 Months	Composite**
Acute Whole Effluent Toxicity ((NOAEC) ( <i>Pimaphales promelas</i> )	NA	NA	NA	NL	1/3 Months	Composite**
Chronic Whole Effluent Toxicity (TUc) ( <i>Pimaphales promelas</i> )	NA	NA	NA	NL	1/3 Months	Composite**

NL= No Limitation, monitoring required  
NA= Not Applicable

There shall be no discharge of floating solids or visible foam in other than trace amounts.

See Part 1.B.11 for additional requirements regarding Whole Effluent Toxicity monitoring requirements.

\* The values reported for flow shall be calculated from the daily sum of the discharges from both the Dominion VCHEC facility and from the St. Paul wastewater treatment plant.

\*\* The composite sample required for this reporting shall consist of a composite of subsamples at taken hourly intervals for the duration of the discharge or for a maximum of 24 hours, whichever is less.



A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from internal outfall serial number **103**. (VCHCEC waste water treatment plant discharge)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATION			MONITORING REQUIREMENTS		
	Monthly Average	Weekly Average	Minimum	Daily Maximum	Frequency	Sample Type
Flow (MGD)	NL	NA	NA	NL	Continuous	Totalizing Indicating & Recording
pH (standard units)	NA	NA	6.0	9.0	1/Month	Grab
Total Suspended Solids	30 mg/l	NA	NA	100 mg/l	1/ Month	Composite*
Total Copper	68 µg/l	NA	NA	68 µg/l	1/Month	Composite*
Total Iron	1000 µg/l	NA	NA	1000 µg/l	1/Month	Composite*
Oil and Grease	15 mg/l	NA	NA	20 mg/l	1/Month	Grab
Chromium VI**	62 µg/l	NA	NA	62 µg/l	1/Month	Composite*
Total Zinc	790 µg/l	NA	NA	790 µg/l	1/Month	Composite*
Total Residual Chlorine	88 µg/l	NA	NA	88 µg/l	1/Month	Grab

NL= No Limitation, monitoring required

NA= Not Applicable

There shall be no discharge of floating solids or visible foam in other than trace amounts.

See Part I.B.7 for additional monitoring and reporting requirements.

\* The composite sample required for this reporting shall consist of a composite of subsamples at taken hourly intervals for the duration of the discharge or for a maximum of 24 hours, whichever is less.

\*\* Compliance with the limit for Chromium VI may be demonstrated through monitoring for Total Chromium and assume a one-to-one relationship.

B. OTHER REQUIREMENTS OR SPECIAL CONDITIONS:

1. This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard, limitation or prohibition for a pollutant which is promulgated or approved under Section 307(a)(2) of the Clean Water Act, if the effluent standard, limitation, or prohibition so promulgated or approved:
  - a. Is more stringent than any effluent limitation on the pollutant already in the permit; or
  - b. Controls any pollutant not limited in the permit.
2. There shall be no maintenance chemical additives in the cooling tower blow-down discharges which contain the 126 priority pollutants unless: 1) the permittee can demonstrate compliance with the requirements applicable to the addition of maintenance chemicals to cooling tower discharges as outlined under the Steam Electric Effluent Guidelines (40 CFR Part 423), and 2) the permittee obtains approval from DEQ for the changes in treatment.
3. Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, and/or stored in such a manner and consistent with Best Management Practices, so as not to permit a discharge of such product, materials, industrial wastes, and/or other wastes to State waters, except as expressly authorized.
4. Within 90 day of the effective date of the permit, the permittee shall develop and maintain an Operations and Maintenance (O&M) Manual for the treatment works that is in accordance with Virginia Pollutant Discharge Elimination System Regulations, 9VAC25-31. The O&M Manual and subsequent revisions shall include the manual effective date and meet Part II.K.2 and Part II.K.4 Signatory Requirements of the permit.

Any changes in the practices and procedures followed by the permittee shall be documented in the O&M Manual within 90 days of the effective date of the changes. The permittee shall operate the treatment works in accordance with the O&M Manual and shall make the O&M manual available to Department personnel for review during facility inspections. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ Regional Office for review and approval.

The O&M manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Permitted outfall locations and techniques to be employed in the collection, preservation, and analysis of effluent, storm water and sludge samples;
- b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;
- c. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.B.3 that will prevent these materials from reaching state waters;
- d. Discussion of treatment works design, treatment works operation, routine preventative maintenance of units within the treatment works, critical spare parts inventory and record

- keeping;
- e. Hours of operation and staffing requirements for the plant to ensure effective operation of the treatment works and maintain permit compliance;
  - f. List of facility, local and state emergency contacts; and,
  - g. Procedures for reporting and responding to any spills/overflows/treatment works upsets.
5. The permittee shall notify the Department as soon as they know or have reason to believe:
- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 ug/l);
    - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.
  - b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) Five hundred micrograms per liter (500 ug/l);
    - (2) One milligram per liter (1 mg/l) for antimony;
    - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.
6. The permittee shall employ or contract at least one wastewater works operator who holds a current wastewater license appropriate for the permitted facility. A **Class II** licensed operator is required for this facility. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the Board for Waterworks and Wastewater Works Operators. The permittee shall notify the Department in writing whenever the facility is not complying, or has grounds for anticipating they will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.
7. The permittee shall comply with the following reporting requirements for all Part I.A monitoring:
- a. **Quantification Levels** -- The quantification levels (QL) shall be less than or equal to the following concentrations:

<u>Effluent Parameter</u>	<u>Quantification Level</u>
TSS	1.0 mg/l
Chlorine	0.10 mg/l
Oil & Grease	5.0 mg/l
Total Recoverable Iron	0.25 mg/l
Total Recoverable Copper	10 ug/l
Chromium	10 ug/l

Zinc

30 ug/l

The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method. It is the responsibility of the permittee to ensure that proper quality assurance/quality control (QA/QC) protocols are followed during the sampling and analytical procedures. QA/QC information shall be documented to confirm that appropriate analytical procedures have been used and the required QLs have been attained. The permittee shall use any method in accordance with Part II A of this permit.

- b. **Monthly Average** -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in subsection a. of this permit condition shall be determined as follows: All concentration data below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as zero. All concentration data equal to or above the QL used for the analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above), then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported monthly average concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported concentration data (including the defined zeros) and flow data for each sample day to determine the daily quantity and report the monthly average of the calculated daily quantities.
- c. **Daily Maximum** -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subsection a. of this permit condition shall be determined as follows: All concentration data below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as zero. All concentration data equal to or above the QL used for the analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above), then the maximum value of the daily averages shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported daily maximum is <QL, then report "<QL" for the quantity. Otherwise use the reported daily average concentrations (including the defined zeros) and corresponding daily flows to determine daily average quantities and report the maximum of the daily average quantities during the reporting month.
- d. **Single Datum** - Any single datum required shall be reported as "<QL" if it is less than the QL used in the analysis (QL must be less than or equal to the QL listed in a. above). Otherwise the numerical value shall be reported.
- e. **Significant Digits** -- The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used by the permittee (i.e., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

8. This permit shall be modified or alternatively revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.
9. The permittee shall monitor the effluent at **outfall 103** for the substances noted in Attachment A, "Water Quality Criteria Monitoring" according to the indicated analysis number, quantification level and sample type. The monitoring shall be conducted quarterly in conjunction with the whole effluent toxicity monitoring requirements of Part I.B.11 for the life of the permit, or until at least 10 sets of data results are collected.

Using Attachment A as the reporting form, the data shall be submitted with the discharge monitoring reports for the quarterly periods in which the monitoring was performed. The due dates for quarterly reporting are January 10, April 10, July 10 and October 10 of each year.

Monitoring and analysis shall be conducted in accordance with 40 CFR Part 136 or alternative EPA approved methods. It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sample gathering and analytical procedures.

10. Should effluent monitoring indicate the need for any water quality based effluent limitation, this permit may be modified, or alternatively revoked and reissued to incorporate appropriate effluent limitations.
11. Whole Effluent Toxicity Monitoring Program:
  - a. Biological Monitoring:
    - (1). In accordance with the testing and reporting schedule contained in Part I.B.11.b. below, the permittee shall conduct quarterly acute and chronic toxicity tests until there are a minimum of 10 for each test required. **The permittee shall collect composite samples of final effluent from outfall 001 during periods when both VCHEC and the Town of St. Paul are contributing flow to the combined outfall. These tests shall be initiated with composite samples from the combined effluent, but in cases where the VCHEC discharges cease, subsequent samples for the completion of the tests may be obtained from samples of the discharge from the St. Paul wastewater treatment plant.**

The acute multi-dilution NOAEC tests to use are:

48 Hour Static Acute test using *Ceriodaphnia dubia*

48 Hour Static Acute test using *Pimephales promelas*

These acute tests are to be conducted using 5 geometric dilutions of effluent with a minimum of 4 replicates, with 5 organisms in each. The NOAEC<sup>[1]</sup> (No Observed Adverse Effect Concentration), as determined by hypothesis testing,

shall be reported on the DMR as a percentage. The  $LC_{50}$  should also be determined and noted on the submitted report. Tests in which control survival is less than 90% are not acceptable.

The chronic tests to use are:

Chronic 3-Brood Static Renewal Survival and Reproduction Test using  
*Ceriodaphnia dubia*

Chronic 7-Day Static Renewal Survival and Growth Test using  
*Pimephales promelas*

These chronic tests shall be conducted in such a manner and at sufficient dilutions (minimum of five dilutions, derived geometrically) to determine the "No Observed Effect Concentration" (NOEC) for survival and reproduction or growth. Results which cannot be determined i.e., a "less than" NOEC value) are not acceptable, and a retest will have to be performed. Express the test NOEC as  $TU_c$  (Chronic Toxic Units), by dividing  $100/NOEC$  for DMR reporting. Report the  $LC_{50}$  at 48 hours and the  $IC_{25}$  with the NOEC's in the test report.

The permittee may provide additional samples to address data variability during the period of initial data generation. These data shall be reported and may be included in the evaluation of effluent toxicity. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

- (2) The test dilutions should be able to determine compliance with the following endpoints:
  - (a). Acute NOAEC = 100%
  - (b). Chronic NOEC of  $\geq 13\%$  equivalent to a  $TU_c$  of  $\leq 7.69$
- (3) The test data will be statistically evaluated for reasonable potential at the conclusion of the test period. The data may be evaluated sooner if requested by the permittee, or if toxicity has been noted. Should evaluation of the data indicate that a limit is needed, a WET limit and compliance schedule will be required and the toxicity tests of 11.a.1. may be discontinued.
- (4). If after evaluating the data, it is determined that no limit is needed, the permittee shall continue acute and chronic toxicity testing (both species) of the outfall annually, as on the reporting schedule in 11.b. All applicable data will be reevaluated for reasonable potential at the end of the permit term.

b. Reporting Schedule:

The permittee shall report the results on the DMR and supply a copy of the toxicity test reports specified in this Whole Effluent Toxicity Monitoring Program in accordance with the following schedule:

<u>Compliance Periods</u>	<u>DMR/Report Submission Dates</u>
Quarter 1 (October – December)	January 10, 2014
Quarter 2 (January – March)	April 10, 2014
Quarter 3 (April – June)	July 10, 2014
Quarter 4 (July – September)	October 10, 2014
Quarter 5 (October – December)	January 10, 2015
Quarter 6 (January – March)	April 10, 2015
Quarter 7 (April – June)	July 10, 2015
Quarter 8 (July – September)	October 10, 2015
Quarter 9 (October – December)	January 10, 2016
Quarter 10 (January – March)	April 10, 2016
Annual 1 (April – March)	May 10, 2017
Annual 2 (April – March)	May 10, 2018

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) and time(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.



C. Reporting Monitoring Results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Department of Environmental Quality  
Southwest Regional Office  
355-A Deadmore Street  
Abingdon, VA 24210

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges.

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

#### H. Reports of Unusual or Extraordinary Discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

#### I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
  - a. Any unanticipated bypass; and
  - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
  - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

**NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (276) 676-4800 (voice) or (276) 676-4899 (fax). For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.**

J. Notice of Planned Changes.

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
    - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
    - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
  - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
  - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements.

1. Applications. All permit applications shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make

- management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- a. The authorization is made in writing by a person described in Part II K 1;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
  - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:  
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply.

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit.

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges.

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice
  - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
  - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
  - a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
    - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - (3) The permittee submitted notices as required under Part II U 2.
  - b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. The permittee submitted notice of the upset as required in Part II I; and
  - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.



W. Inspection and Entry.

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
  - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

**ATTACHMENT A**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**WATER QUALITY CRITERIA MONITORING**

Effective January 1, 2012, all analyses shall be in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

A listing of Virginia Environmental Laboratory Accreditation Program (VELAP) certified and/or accredited laboratories can be found at the following website:  
<http://www.dgs.state.va.us/DivisionofConsolidatedLaboratoryServices/Services/EnvironmentalLaboratoryCertification/tabid/1059/Default.aspx>

Please be advised that additional water quality analyses may be necessary and/or required for permitting purposes.

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL <sup>(1)</sup>	REPORTING RESULTS	SAMPLE TYPE <sup>(2)</sup>	SAMPLE FREQUENCY
<b>METALS</b>						
7440-36-0	Antimony, dissolved	(3)	20 ug/l		G or C	1/3M
7440-38-2	Arsenic, dissolved	(3)	34 ug/l		G or C	1/3M
7440-39-3	Barium, dissolved	(3)	6900 ug/l		G or C	1/3M
7440-43-9	Cadmium, dissolved	(3)	5.5 ug/l		G or C	1/3M
16065-83-1	Chromium III, dissolved <sup>(6)</sup>	(3)	360 ug/l		G or C	1/3M
18540-29-9	Chromium VI, dissolved <sup>(6)</sup>	(3)	30 ug/l		G or C	1/3M
7440-50-8	Copper, dissolved	(3)	36 ug/l		G or C	1/3M
7439-89-6	Iron, dissolved	(3)	1100 ug/l		G or C	1/3M
7439-92-1	Lead, dissolved	(3)	53 ug/l		G or C	1/3M
7439-96-5	Manganese, dissolved	(3)	140 ug/l		G or C	1/3M
7439-97-6	Mercury, dissolved	(3)	2.6 ug/l		G or C	1/3M
7440-02-0	Nickel, dissolved	(3)	95 ug/l		G or C	1/3M
7782-49-2	Selenium, Total Recoverable	(3)	15 ug/l		G or C	1/3M
7440-22-4	Silver, dissolved	(3)	14 ug/l		G or C	1/3M
7440-28-0	Thallium, dissolved	(3)	(4)		G or C	1/3M
7440-66-6	Zinc, dissolved	(3)	310 ug/l		G or C	1/3M
<b>PESTICIDES/PCB'S</b>						
309-00-2	Aldrin	608/625	0.05		G or C	1/3M
57-74-9	Chlordane	608/625	0.2		G or C	1/3M
2921-88-2	Chlorpyrifos (synonym = Dursban)	622	(4)		G or C	1/3M

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL <sup>(1)</sup>	REPORTING RESULTS	SAMPLE TYPE <sup>(2)</sup>	SAMPLE FREQUENCY
72-54-8	DDD	608/625	0.1		G or C	1/3M
72-55-9	DDE	608/625	0.1		G or C	1/3M
50-29-3	DDT	608/625	0.1		G or C	1/3M
8065-48-3	Demeton-O,S	622	(4)		G or C	1/3M
333-41-5	Diazinon	622	(4)		G or C	1/3M
60-57-1	Dieldrin	608/625	0.1		G or C	1/3M
959-98-8	Endosulfan I (alpha)	608/625	0.1		G or C	1/3M
33213-65-9	Endosulfan II (beta)	608/625	0.1		G or C	1/3M
1031-07-8	Endosulfan Sulfate	608/625	0.1		G or C	1/3M
72-20-8	Endrin	608/625	0.1		G or C	1/3M
7421-93-4	Endrin Aldehyde	608/625	(4)		G or C	1/3M
86-50-0	Guthion (synonym = Azinphos Methyl)	622	(4)		G or C	1/3M
76-44-8	Heptachlor	608/625	0.05		G or C	1/3M
1024-57-3	Heptachlor Epoxide	608/625	(4)		G or C	1/3M
319-84-6	Alpha-BHC (synonym = Alpha-Hexachlorocyclohexane)	608/626	(4)		G or C	1/3M
319-85-7	Beta-BHC (synonym = Beta-Hexachlorocyclohexane)	608/625	(4)		G or C	1/3M
58-89-9	Gamma-BHC (synonym = Lindane, Gamma-Hexachlorocyclohexane)	608/625	(4)		G or C	1/3M
143-50-0	Kepone	8081 Extended/ 8270C/8270D	(4)		G or C	1/3M
121-75-5	Malathion	614	(4)		G or C	1/3M
72-43-5	Methoxychlor	608.2	(4)		G or C	1/3M
2385-85-5	Mirex	8081 Extended/ 8270C/8270D	(4)		G or C	1/3M
56-38-2	Parathion (synonym = Parathion Ethyl)	614	(4)		G or C	1/3M
1336-36-3	PCB, total	608/625	7.0		G or C	1/3M
8001-35-2	Toxaphene	608/625	5.0		G or C	1/3M
<b>BASE NEUTRAL EXTRACTABLES</b>						
83-32-9	Acenaphthene	610/625	10.0		G or C	1/3M
120-12-7	Anthracene	610/625	10.0		G or C	1/3M
92-87-5	Benzidine	625	(4)		G or C	1/3M
56-55-3	Benzo (a) anthracene	610/625	10.0		G or C	1/3M

**ATTACHMENT A**  
**VPDES Permit No. VA0092746**  
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CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL <sup>(1)</sup>	REPORTING RESULTS	SAMPLE TYPE <sup>(2)</sup>	SAMPLE FREQUENCY
205-99-2	Benzo (b) fluoranthene	610/625	10.0		G or C	1/3M
207-08-9	Benzo (k) fluoranthene	610/625	10.0		G or C	1/3M
50-32-8	Benzo (a) pyrene	610/625	10.0		G or C	1/3M
111-44-4	Bis 2-Chloroethyl Ether	625	(4)		G or C	1/3M
108-60-1	Bis 2-Chloroisopropyl Ether	625	(4)		G or C	1/3M
117-81-7	Bis 2-ethylhexyl phthalate	625	10.0		G or C	1/3M
85-68-7	Butyl benzyl phthalate	625	10.0		G or C	1/3M
91-58-7	2-Chloronaphthalene	625	(4)		G or C	1/3M
218-01-9	Chrysene	610/625	10.0		G or C	1/3M
53-70-3	Dibenzo (a,h) anthracene	610/625	20.0		G or C	1/3M
84-74-2	Dibutyl phthalate (synonym = Di-n-butyl Phthalate)	625	10.0		G or C	1/3M
95-50-1	1,2-Dichlorobenzene	602/624	10.0		G or C	1/3M
541-73-1	1,3-Dichlorobenzene	602/624	10.0		G or C	1/3M
106-46-7	1,4-Dichlorobenzene	602/624	10.0		G or C	1/3M
91-94-1	3,3-Dichlorobenzidine	625	(4)		G or C	1/3M
84-66-2	Diethyl phthalate	625	10.0		G or C	1/3M
131-11-3	Dimethyl phthalate	625	(4)		G or C	1/3M
121-14-2	2,4-Dinitrotoluene	625	10.0		G or C	1/3M
122-66-7	1,2-Diphenylhydrazine	625/ 8270C/8270D	(4)		G or C	1/3M
206-44-0	Fluoranthene	610/625	10.0		G or C	1/3M
86-73-7	Fluorene	610/625	10.0		G or C	1/3M
118-74-1	Hexachlorobenzene	625	(4)		G or C	1/3M
87-68-3	Hexachlorobutadiene	625	(4)		G or C	1/3M
77-47-4	Hexachlorocyclopentadiene	625	(4)		G or C	1/3M
67-72-1	Hexachloroethane	625	(4)		G or C	1/3M
193-39-5	Indeno(1,2,3-cd)pyrene	610/625	20.0		G or C	1/3M
78-59-1	Isophorone	625	10.0		G or C	1/3M
98-95-3	Nitrobenzene	625	10.0		G or C	1/3M
62-75-9	N-Nitrosodimethylamine	625	(4)		G or C	1/3M

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL <sup>(1)</sup>	REPORTING RESULTS	SAMPLE TYPE <sup>(2)</sup>	SAMPLE FREQUENCY
621-64-7	N-Nitrosodi-n-propylamine	625	(4)		G or C	1/3M
86-30-6	N-Nitrosodiphenylamine	625	(4)		G or C	1/3M
129-00-0	Pyrene	610/625	10.0		G or C	1/3M
120-82-1	1,2,4-Trichlorobenzene	625	10.0		G or C	1/3M
<b>VOLATILES</b>						
107-02-8	Acrolein	624	(4)		G	1/3M
107-13-1	Acrylonitrile	624	(4)		G	1/3M
71-43-2	Benzene	602/624	10.0		G	1/3M
75-25-2	Bromoform	624	10.0		G	1/3M
56-23-5	Carbon Tetrachloride	624	10.0		G	1/3M
108-90-7	Chlorobenzene (synonym = Monochlorobenzene)	602/624	50.0		G	1/3M
124-48-1	Chlorodibromomethane	624	10.0		G	1/3M
67-66-3	Chloroform (synonym = Methyl Trichloride)	624	10.0		G	1/3M
75-09-2	Dichloromethane (synonym = Methylene Chloride)	624	20.0		G	1/3M
75-27-4	Dichlorobromomethane	624	10.0		G	1/3M
107-06-2	1,2-Dichloroethane	624	10.0		G	1/3M
75-35-4	1,1-Dichloroethylene	624	10.0		G	1/3M
156-60-5	1,2-trans-dichloroethylene	624	(4)		G	1/3M
78-87-5	1,2-Dichloropropane	624	(4)		G	1/3M
542-75-6	1,3-Dichloropropene	624	(4)		G	1/3M
100-41-4	Ethylbenzene	602/624	10.0		G	1/3M
74-83-9	Methyl Bromide (synonym = Bromomethane)	624	(4)		G	1/3M
79-34-5	1,1,2,2-Tetrachloroethane	624	(4)		G	1/3M
127-18-4	Tetrachloroethylene (synonym = Tetrachloroethene)	624	10.0		G	1/3M
10-88-3	Toluene	602/624	10.0		G	1/3M
79-00-5	1,1,2-Trichloroethane	624	(4)		G	1/3M
79-01-6	Trichloroethylene (synonym = Trichloroethene)	624	10.0		G	1/3M
75-01-4	Vinyl Chloride	624	10.0		G	1/3M

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL <sup>(1)</sup>	REPORTING RESULTS	SAMPLE TYPE <sup>(2)</sup>	SAMPLE FREQUENCY
RADIONUCLIDES						
N/A	Beta Particle & Photon Activity (mrem/yr)	(3)	(4)		G or C	1/3M
N/A	Gross Alpha Particle Activity (pCi/L)	(3)	(4)		G or C	1/3M
N/A	Combined Radium 226 and 228	(3)	(4)		G or C	1/3M
N/A	Uranium	(3)	(4)		G or C	1/3M
ACID EXTRACTABLES						
95-57-8	2-Chlorophenol	625	10.0		G or C	1/3M
120-83-2	2,4 Dichlorophenol	625	10.0		G or C	1/3M
105-67-9	2,4 Dimethylphenol	625	10.0		G or C	1/3M
51-28-5	2,4-Dinitrophenol	625	(4)		G or C	1/3M
534-52-1	2-Methyl-4,6-Dinitrophenol	625	(4)		G or C	1/3M
25154-52-3	Nonylphenol	ASTM D 7065-06	(4)		G or C	1/3M
87-86-5	Pentachlorophenol	625	50.0		G or C	1/3M
108-95-2	Phenol	625	10.0		G or C	1/3M
88-06-2	2,4,6-Trichlorophenol	625	10.0		G or C	1/3M
MISCELLANEOUS						
776-41-7	Ammonia as NH <sub>3</sub> -N	350.1	200		G or C	1/3M
16887-00-6	Chloride	(3)	(4)		G or C	1/3M
7782-50-5	Chlorine, Total Residual	(3)	100		G	1/3M
57-12-5	Cyanide, Free	ASTM 4282-02	10.0		G or C	1/3M
N/A	Foaming Agents (as MBAS)	SM 5540 C	(4)		G	1/3M
18496-25-8	Sulfide, dissolved <sup>(7)</sup>	SM 4500 S <sup>2</sup> B	100		G or C	1/3M
14797-55-8	Nitrate as N (mg/L)	(3)	(4)		G or C	1/3M
N/A	Sulfate (mg/L)	(3)	(4)		G or C	1/3M
N/A	Total Dissolved Solids (mg/L)	(3)	(4)		G or C	1/3M
60-10-5	Tributyltin	(5)	(4)		G or C	1/3M
93-72-1	2-(2,4,5-Trichlorophenoxy) propionic acid (synonym = Silvex)	615	(4)		G or C	1/3M
471-34-1	Hardness (mg/L as CaCO <sub>3</sub> )	(3)	(4)		G or C	1/3M

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Name of Principal Executive Officer or Authorized Agent & Title

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Signature of Principal Executive Officer or Authorized Agent & Date

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. Sec. 1001 and 33 U.S.C. Sec. 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

FOOTNOTES:

- (1) Quantification level (QL) is defined as the lowest concentration used for the calibration of a measurement system when the calibration is in accordance with the procedures published for the required method.

The quantification levels indicated for the metals are actually Specific Target Values developed for this permit. The Specific Target Value is the approximate value that may initiate a wasteload allocation analysis. Target values are not wasteload allocations or effluent limitations. The Specific Target Values are subject to change based on additional information such as hardness data, receiving stream flow, and design flows.

Units for the quantification level are micrograms/liter unless otherwise specified.

Quality control and quality assurance information shall be submitted to document that the required quantification level has been attained.

- (2) Sample Type

G = Grab = An individual sample collected in less than 15 minutes. Substances specified with "grab" sample type shall only be collected as grabs. The permittee may analyze multiple grabs and report the average results provided that the individual grab results are also reported. For grab metals samples, the individual samples shall be filtered and preserved immediately upon collection.

C = Composite = A composite shall be a combination of individual samples, obtained at hourly until the VCHC discharge ceases or for a period no greater than 24 hours.

- (3) A specific analytical method is not specified; however a QL has been established. An appropriate method to meet the QL shall be selected from any approved method presented in 40 CFR Part 136. If the test result is less than the method QL, a "<[QL]" shall be reported where the actual analytical test QL is substituted for [QL].
- (4) The QL is at the discretion of the permittee.
- (5) Analytical Methods: Analysis of Butyltins in Environmental Systems by the Virginia Institute of Marine Science, dated November 1996 (currently the only Virginia Environmental Laboratory Accreditation Program (VELAP) accredited method).
- (6) Both Chromium III and Chromium VI may be measured by the total chromium analysis. If the result of the total chromium analysis is less than or equal to the lesser of the Chromium III or Chromium VI method QL, the results for both Chromium III and Chromium VI can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].
- (7) Dissolved sulfide may be measured by the total sulfide analysis. If the result of the total sulfide analysis is less than or equal to the dissolved sulfide QL, then dissolved sulfide can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].
- (8) Free cyanide may be measured by the total cyanide analysis. The total cyanide analytical test QL shall be less than or equal to the free cyanide method QL listed above. If the result of the total cyanide analysis is less than the analytical test QL, free cyanide can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].